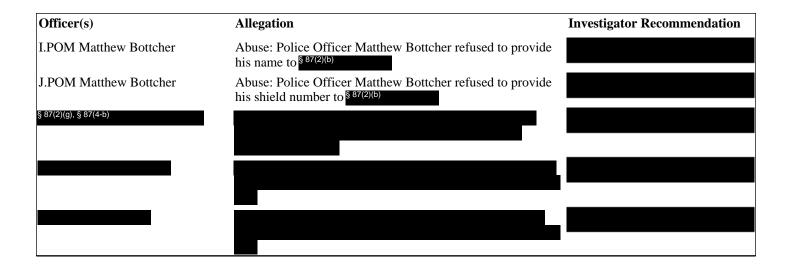
## CCRB INVESTIGATIVE RECOMMENDATION

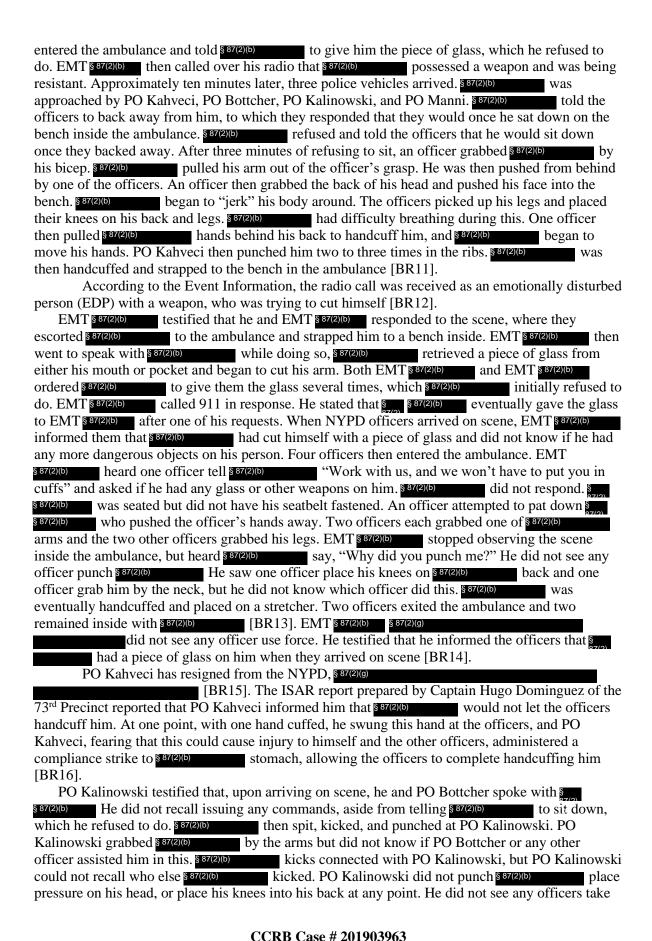
Investigator:	ΙΤ	eam:	CCRB Case #:		Force	✓ Discourt.	U.S.
Genevieve Lamont			201903963			<del>_</del>	_
Genevieve Lamont	3	quad #8	201903963		Abuse	O.L.	☐ Injury
Incident Date(s)	L	ocation of Incident:	•	Pr	ecinct:	18 Mo. SOL	EO SOL
Wednesday, 05/08/2019 6:00 PM		in front of the § 87(2)(b) (§ 87(2)(b)			73	11/8/2020	6/25/2021
Date/Time CV Reported	C	V Reported At:	How CV Reported	: 1	Date/Time	Received at CC	RB
Thu, 05/09/2019 8:21 AM CCF		CRB	Phone Thu		Γhu, 05/09	nu, 05/09/2019 8:21 AM	
Complainant/Victim	Type	Home Addre	ess				
Witness(es)		Home Addre	ess				
Subject Officer(s)	Shield	TaxID	Command				
1. POM Huseyin Kahveci	22896	960739	073 PCT				
2. POM Vickram Manni	11404	942865	073 PCT				
3. POM Christophe Kalinowski	22920	962515	073 PCT				
4. POM Matthew Bottcher	21926	962266	073 PCT				
5. An officer			073 PCT				
Witness Officer(s)	Shield No	Tax No	Cmd Name				
1. POF Kyanna Simon	13401	966852	073 PCT				
Officer(s)	Allegation				Inve	stigator Recor	nmendation
A.POM Huseyin Kahveci	Force: Police against § 87(2	ce Officer Huseyin K	ahveci used physical	l forc	e		
B.POM Matthew Bottcher	Force: Police against § 87(2	ce Officer Matthew E	Sottcher used physica	al for	ce		
C.POM Christophe Kalinowski	Force: Police force against	ce Officer Christophe st § 87(2)(b)	er Kalinowski used p	hysic	al		
D.POM Vickram Manni	Force: Police against § 87(2	ce Officer Vickram M	Ianni used physical t	force			
E.POM Matthew Bottcher	Force: An obreathing.	officer restricted	§ 87(2)(b) S				
F. An officer	Abuse: An	officer threatened to	arrest <sup>§ 87(2)(b)</sup>				
G.POM Christophe Kalinowski	Abuse: Poli arrest § 87(2)(	ce Officer Christoph	er Kalinowski threat	ened	to		
H.POM Huseyin Kahveci	Discourtesy discourteou	r: Police Officer Huse sly toward <sup>§ 87(2)(b)</sup>	eyin Kahveci acted				



## **Case Summary**

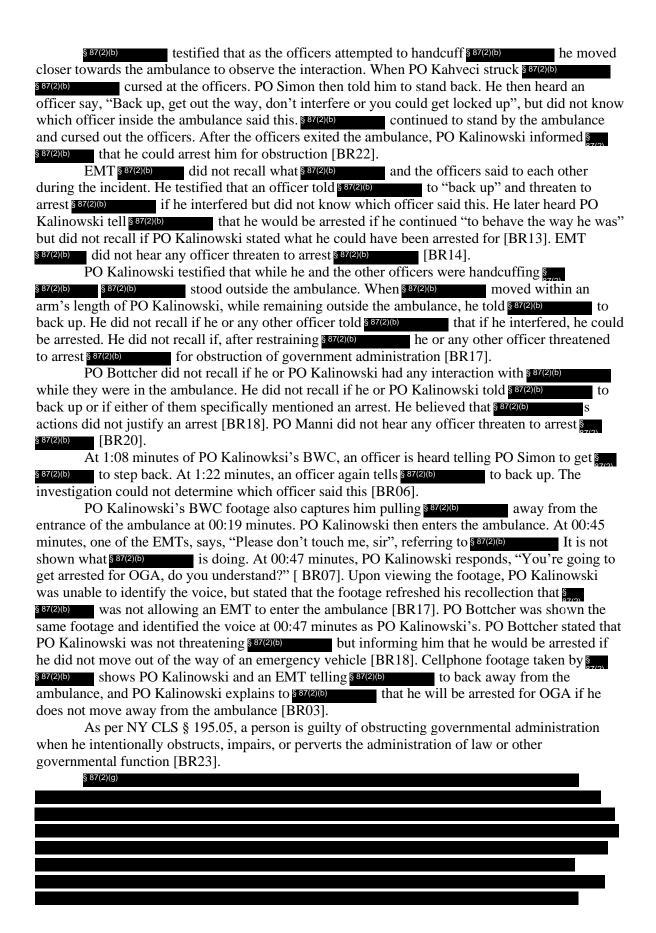
On May 9, 2019, \$87(2)(b) filed the following complaint with the CCRB by phone on
behalf of her son, §87(2)(b) stepfather, §87(2)(b) provided a
statement to the Intake Investigator, as he was present during the incident and §87(2)(b) was not.
On May 8, 2019, at approximately 6:00 p.m., EMT \$87(2) \$87(2)(b) and EMT \$87(2)(b)
responded to a radio call involving \$87(2)(b) at the \$87(2)(b)
located at § 87(2)(b) was also on scene. § 87(2)(b) began
to cut himself with a piece of glass, and the EMTs called for NYPD. PO Huseyin Kahveci, PO
Matthew Bottcher, PO Christopher Kalinowski, PO Vickram Manni, and PO Kyanna Simon, all
from the 73rd Precinct, responded to the scene. PO Kahveci, PO Bottcher, PO Kalinowski, and PO
Manni entered the ambulance and attempted to restrain §87(2)(b) who resisted. Two officers
grabbed \$87(2)(b) by his biceps, picked up his legs, and attempted to handcuff him (Allegations A through D: Force; \$87(2)(9) and \$87(2)(9) At one
(Allegations A through D: Force; \$87(2)(9) and \$87(2)(9) At one point during the struggle, PO Bottcher pushed \$87(2)(6) face against the ambulance bench,
which allegedly restricted his breathing ( <b>Allegation E: Force</b> ; § 87(2)(9) They then
handcuffed \$87(2)(6) securing him to a stretcher inside the ambulance.
As this was going on, §87(2)(b) stood outside the ambulance and recorded the officers.
At one point, an officer allegedly told him, "Back up, get out the way, don't interfere or you could
get locked up." (Allegation F: Abuse of Authority; \$87(2)(9)
that he would be arrested for obstruction of government administration (Allegation G:
Abuse of Authority; \$87(2)(9) Once the officers left the ambulance, \$87(2)(b) asked
all the officers for their business cards. PO Kahveci allegedly held his business card a couple of
inches above § 87(2)(b) s head (Allegation H: Discourtesy; § 87(2)(9)
). §87(2)(b) then asked PO Bottcher for his name and shield number, which he did
not provide (Allegations I and J: Abuse of Authority; \$87(2)(9) was
removed to §87(2)(b) in Brooklyn.
provided cellphone footage he took of the incident [BR01, BR02, and BR03,
respectively]. Body-worn camera (BWC) footage from PO Kahveci, PO Bottcher, PO Kalinowski,
and PO Manni was also obtained by the investigation [BR04 through BR10, respectively].
§ 87(4-b) § 87(2)(g)
Findings and Recommendations
Allegation (A) Force: Police Officer Huseyin Kahveci used physical force against \$87(2)(b)
Thegation (ii) Toree Tonee officer Trabeyin Transcer asea physical force against
Allegation (B) Force: Police Officer Matthew Bottcher used physical force against \$87(2)(b)
Allegation (C) Force: Police Officer Christopher Kalinowski used physical force against
§ 87(2)(b)
Allegation (D) Force: Police Officer Vickram Manni used physical force against 887(2)(b)
Allegation (E) Force: Police Officer Bottcher restricted 887(2)(b) s breathing.
It is undisputed that PO Kahveci, PO Bottcher, PO Kalinowski, and PO Manni all used
force against § 87(2)(b) while attempting to restrain him. § 87(2)(9)
testified that EMS was called for him after his ELA instructor, § 87(2)(b)
observed that he had self-cut his arms. EMT § 87(2)(b) and EMT § 87(2)(b) arrived on
scene and escorted him to the ambulance outside. \$87(2)(b) had a piece of glass, which he used
to cut himself, in his pocket. Once outside, \$87(2)(b) saw his stepfather, \$87(2)(b) saw his stepfather, \$87(2)(b) \$37(2)(c) \$
was directed into the ambulance and sat inside for about five minutes. While inside the ambulance, \$87(2)(b) cut his arms with the piece of glass inside his pocket. EMT \$87(2)(b)
amourance, so (200) cut his arms with the piece of grass histee his pocket. Eivi 1 \$ 87(2)(0)

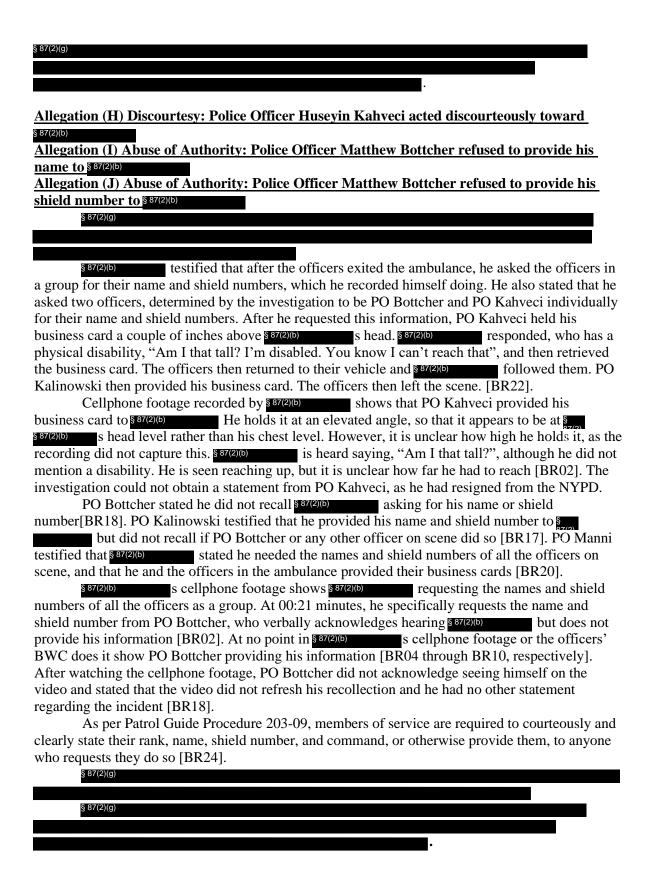
**CCRB Case # 201903963** 



these actions. PO Kalinowski did not know who handcuffed \$87(2)(b) [BR17].
PO Bottcher § 87(2)(g) testified that he assisted PO
Kalinowski in grabbing \$87(2)(b) by the arms to handcuff him, which he stated was for his
own safety. §87(2)(b) flailed his arms, kicked and spat on both officers. He stated that either
he or PO Kalinowski handcuffed \$87(2)(b) He did not punch place pressure or
his head, or place his knees into his back at any point; he did not recall if any other officer did this
[BR18]. The AIDED report prepared by PO Bottcher noted that \$87(2)(b) had a piece of glass,
which he used to cut himself, and resisted going to the hospital by kicking, spitting, biting, head
butting, and punching officers [BR19].
PO Manni testified that after \$87(2)(b) refused to sit down for transportation, he, PO
Kalinowski, PO Bottcher, and PO Kahveci all attempted to handcuff \$87(2)(b) by grabbing his
arms. \$87(2)(b) pulled his arms towards his chest and kicked at the officers. At one point,
moved his arm out of PO Manni's grasp, and continued to move back and forth, waving
his arms. Eventually, the officers were able to handcuff \$87(2)(b) PO Manni did not recall if
any officers used any additional force aside from grabbing § 87(2)(b) arms [BR20].
Footage from PO Bottcher's BWC shows that he, PO Kalinowski, PO Kahveci, and PO
Manni attempted to handcuff §87(2)(b) from 00:00 minutes to 02:11 minutes. The officers
attempt to handcuff \$87(2)(b) by grabbing his arms, and in response, he flails his arms and kicks at the officers. \$87(2)(b) is handcuffed at 01:16 minutes. \$87(2)(b) then spits at the
kicks at the officers. §87(2)(b) is handcuffed at 01:16 minutes. §87(2)(b) then spits at the
officers, to which PO Bottcher places his arm across \$37(2)(b) face and tells him to stop
spitting. At 1:50 minutes, he removes his arm from \$87(2)(6) face and one of the officers
places a spit guard mask on him. §87(2)(b) continues to move his head and body, and officers
tell him to stop resisting. At the 3:00 minute mark, the officers move §87(2)(b) to the stretcher
inside the ambulance, where they hold him down as they strap him in [BR09]. The BWC from PO
Kahveci, PO Kalinowski, and PO Manni largely captures what PO Bottcher's captures [BR04,
BR06, BR10, respectively]. While none of the BWC footage shows PO Kahveci hitting
at 1:40 minutes in PO Bottcher's BWC, he acknowledges using compliance strikes
[BR09]. Additionally, none of the BWC footage captures officers placing their knees on
back. Upon viewing PO Kalinowski's BWC, PO Bottcher contested that he placed his
hand on shoulder, not his neck, but did not provide any additional statements as to
why he took this action [BR06].
According to Patrol Guide Procedure 221-13, if an emotionally disturbed person is a danger
to himself or others, force may be used when it is reasonable to prevent serious physical injury or
death. Members of service will use only the reasonable force necessary to gain control or custody of
a subject [BR21].
§ 87(2)(g)
§ 87(2)(g)
§ 87(2)(g)
Allegation (F) Abuse of Authority: An officer threatened to arrest §87(2)(b)
Allegation (G) Abuse of Authority: Police Officer Christopher Kalinowski threatened to
arrest § 87(2)(b)
It is undisputed that PO Kalinowski threatened to arrest § 87(2)(b)

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), § 87(4-b)	
	_
This is the first comp	Civilian and Officer CCRB Histories  plaint \$87(2)(b) and \$87(2)(b) have been party to [BR26 and
BR26, respectively].	n a member of service for three years and has been party to one other
	d two allegations, neither of which were substantiated. § 87(2)(9)
PO Kalinowski has	been a member of service for three years and has not been a subject in
any prior CCRB con	plaints. § 87(2)(9)
	a member of service for 13 years and has been a subject in three CCRB
complaints and six a	llegations, none of which have been substantiated. §87(2)(9)
	Mediation, Civil and Criminal Histories
As of February 7, 20	ned to mediate this complaint.  20, neither \$87(2)(b) nor \$87(2)(b) have filed a Notice of
Claim regarding this	incident [BR28].
[§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87	(2)(c)]

Squad No.:			
Investigator:			
	Signature	Print Title & Name	Date
Squad Leader:			
	Signature	Print Title & Name	Date
Reviewer:			-
	Signature	Print Title & Name	Date